

**A SUBSTITUTE ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE**

09-O-0986

AN ORDINANCE TO ANTICIPATE AND APPROPRIATE TSA GRANT FUNDS IN THE AMOUNT OF \$17,750,815.77 FOR THE TRANSPORTATION SECURITY ADMINISTRATION'S SHARE OF MOA # HSTS04-04-A-DEPO53 FOR THE PAYMENT OF PRINCIPAL ON THE SERIES 2004D-1 AND SERIES 2004D-2 AIRPORT PASSENGER FACILITY CHARGE AND SUBORDINATE LIEN REVENUE BONDS (5508) ISSUED TO PAY CAPITAL COSTS FOR THE INSTALLATION AND OPERATION OF EXPLOSIVE DETECTION SYSTEMS IN AN "IN-LINE" BAGGAGE SYSTEM AT THE HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City"), as owner and operator of the Hartsfield-Jackson Atlanta International Airport, in its quest to gain additional funding for ongoing and innovative projects, applies for offers of grants-in-aid for various projects at the Airport; and

WHEREAS, Resolution No. 03-R-0384, adopted by the City Council on July 21, 2003 and approved by the Mayor on July 29, 2003, authorized the City to enter into a Memorandum of Agreement ("MOA") with the Transportation Security Administration ("TSA"); and

WHEREAS, the City entered into MOA # HSTS04-04-A-DEPO53 with the TSA dated February 17th 2004 for the Installation and Operation of an Explosives Detection System ("EDS") in an "in-line" baggage system at Hartsfield-Jackson Atlanta International Airport; and

WHEREAS, the Council of the City of Atlanta adopted Ordinance 04-O-1249 on July 19, 2004, which was approved by the Mayor on July 22, 2004, to anticipate and appropriate proceeds of the Series 2004D Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds to finance portions of the EDS "in-line" baggage system project; and

WHEREAS, the contribution of the Transportation Security Administration (TSA) for MOA # HSTS04-04-A-DEPO53 is \$93,750,000, (75%) of the total project expense; and

WHEREAS, the City has received a reimbursement of \$17,750,815.77 from the Transportation Security Administration (TSA) for MOA # HSTS04-04-A-DEPO53; and

WHEREAS, the City now intends to utilize the reimbursement in the amount of \$17,750,815.77 for the payment of principal on the Series 2004D-1 and Series 2004D-2 Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That the FY 2009 Airport Renewal and Extension Fund Budget is hereby amended as follows:

ADD TO ANTICIPATIONS

5502.000002.3311101.7563000.000000.00000.0000.00000000.00000000	\$17,750,815.77
Airport Renewal & Extension Fund - Federal Grant Entitlement	

ADD TO APPROPRIATIONS

5502.200801.6110999.8000000.000000.00000.0000.00000000.00000000	\$17,750,815.77
Airport Renewal & Extension Fund Sinking Fund Requirement	

SECTION 2: That the Chief Financial Officer is authorized to pay \$17,750,815.77 from the Airport Renewal & Extension Fund 5502.200801.6110999.8000000.000000.00000.00000000.00000000 to 2004 Airport Passenger Facility Charge Bond Fund 5508.200801.6110999.8000000.000000.00000

SECTION 3: That the FY2009 Airport Passenger Facility Charge Bond Fund budget is amended as follows:

ADD TO ANTICIPATIONS

5508.000002.3912042.0000000.000000.00000.0000.00000000.00000000	\$17,750,815.77
2004 Passenger Facility Charge Bond Fund- Sinking Fund Requirement	

ADD TO APPROPRIATIONS

5508.200801.6110999.8000000.000000.00000.0000.00000000.00000000	\$17,750,815.77
2004 Passenger Facility Charge Bond Fund- Sinking Fund Requirement	

SECTION 4: That the Chief Financial Officer is authorized to pay \$17,750,815.77 from the 2004 Passenger Facility Charge Bond Fund 5508.200801.6110999.8000000.000000.00000.00000000.00000000 to the Airport Facility Revenue Bond Sinking Fund 5513.200816.5811002.80000000.000000.00000.00000000.00000000 and the Airport Revenue Bond Sinking Fund 5513.200816.5513.200816.5821002.8000000.000000.00000.00000000.00000000

SECTION 5: That the FY2009 Airport Facility Revenue Bond Sinking Fund budget is amended as follows:

ADD TO ANTICIPATIONS

5513.000002.3912042.0000000.000000.00000.0000.00000000.00000000	\$17,750,815.77
Airport Facility Revenue Bond Sinking Fund- Sinking Fund Requirement	

ADD TO APPROPRIATIONS

5513.200816.5811002.8000000.000000.00000.0000.00000000.00000000	\$17,750,000.00
Airport Facility Revenue Bond Sinking Fund- Revenue Bond Principal Payment	

5513.200816.5821002.8000000.000000.000000.0000.00000000.00000000	\$815.77
Airport Facility Revenue Bond Sinking Fund- Revenue Bond Interest Payment	

SECTION 6: That all ordinances or parts of ordinances in conflict with this ordinance herewith, are waived to the extent of the conflict.

**AN ORDINANCE BY
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Airport Renewal & Extension Fund - Federal Grant Entitlement	

ADD TO APPROPRIATION

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Airport Renewal & Extension Fund Sinking Fund Requirement	

SECTION 2: That the Chief Financial Officer is authorized to pay \$17,750,815.77 from the Airport Renewal & Extension Fund 5502.200801.6110999.8000000.0000000.00000.00000000.00000000 to the Airport Facility Revenue Bond Sinking Fund 5513.200816.5813001.8000000.000000.00000

SECTION 3: That the FY2009 Airport Facility Revenue Bond Sinking Fund budget is amended as follows:

ADD TO ANTICIPATION

5513.000002.3912042.0000000.000000.00000.0000.00000000.00000000	\$17,750,815.77
Airport Facility Revenue Bond Sinking Fund- Sinking Fund Requirement	

ADD TO ANTICIPATION

5513.200816.5811002.8000000.000000.00000.0000.00000000.00000000	\$17,750,815.77
Airport Facility Revenue Bond Sinking Fund- Revenue Bond Principal Payment	

SECTION 4: That all ordinances or parts of ordinances in conflict with this ordinance herewith, are waived to the extent of the conflict.

RCS# 3012
6/01/09
3:24 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/ Executive Committee

Caption: AN ORDINANCE TO ANTICIPATE AND APPROPRIATE TSA GRANT FUNDS IN THE AMOUNT OF \$17,750,815.77 FOR THE TRANSPORTATION SECURITY ADMINISTRATION'S SHARE OF MOA # HSTS04-04-A-DEPO53 FOR THE PAYMENT OF PRINCIPAL ON THE SERIES 2004D-1 AND SERIES 2004D-2 AIRPORT PASSENGER FACILITY CHARGE AND SUBORDINATE LIEN REVENUE BONDS (5508) ISSUED TO PAY CAPITAL COSTS FOR THE INSTALLATION AND OPERATION OF EXPLOSIVE DETECTION SYSTEMS IN AN "IN-LINE" BAGGAGE SYSTEM AT THE HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

Council Meeting Date: June 1, 2009

Requesting Dept.: Department of Finance

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to anticipate and appropriate TSA Grant funds received to the Sinking fund for the redemption of Series 2004D-1 and 2004D-2 Bonds issued by the department of Aviation

2. Please provide background information regarding this legislation.

The department of Aviation and the Federal Transportation Security Agency entered into an MOA for the installation of an Explosive Detection System at Hartsfield-Jackson Atlanta International Airport. TSA was to reimburse the city 75% of the projects total cost or \$93,750,000. The department of Aviation has received reimbursements of \$17,750,815.77 from the TSA and wants to use these funds to pay down the debt on the bonds issued for this project.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** N/A

(b) **Source Selection:** N/A

(c) **Bids/Proposals Due:** N/A

- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** N/A

4. Fund Account Center (Ex. Name and number):

Add to Anticipation:

5502.000002.3310998.7563000.000000.000000.0000.000000.000000 \$17,750,815.77

Airport Renewal & Extension Fund - Federal Grant Entitlement

Add to Appropriation:

5502.200801.6110999.8000000.000000.000000.0000.000000.000000 \$17,750,815.77

Airport Renewal & Extension Fund - Sinking Fund Requirement

Transfer From:

5505.200801.6110999.80000000.000000.000000.0000.000000.000000 \$17,750,815.77

Airport Renewal & Extension Fund - Sinking Fund Requirement

Transfer To:

5513.000002.3912042.0000000.0000000.00000.0000.000000.00000 \$17,750,815.77

Airport Facility Revenue Bond Sinking Fund - Sinking Fund Requirement

Add to Anticipations:

5513.000002.3912042.0000000.0000000.00000.0000.000000.00000 \$17,750,815.77

Airport Facility Revenue Bond Sinking Fund - Sinking Fund Requirement

Add to Appropriations:

5513.200816.5811002.8000000.000000.00000.0000.000000.000000 \$17,750,815.77

Airport FAC Revenue Bond Sinking Fund, Revenue Bonds Principal Payment

5. Source of Funds: *Example: Local Assistance Grant* Federal TSA Grant Entitlement

6. Fiscal Impact: N/A

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Paul Kwaw

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: May 12, 2009

Anticipated Committee Meeting Date(s): May 26-27, 2009

Anticipated Full Council Date: June 1, 2009

Legislative Counsel's Signature: [Signature]

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: [Signature]

CAPTION

AN ORDINANCE TO ANTICIPATE AND APPROPRIATE TSA GRANT FUNDS IN THE AMOUNT OF \$17,750,815.77 FOR THE TRANSPORTATION SECURITY ADMINISTRATION'S SHARE OF MOA # HSTS04-04-A-DEPO53 FOR THE PAYMENT OF PRINCIPAL ON THE SERIES 2004D-1 AND SERIES 2004D-2 AIRPORT PASSENGER FACILITY CHARGE AND SUBORDINATE LIEN REVENUE BONDS (5508) ISSUED TO PAY CAPITAL COSTS FOR THE INSTALLATION AND OPERATION OF EXPLOSIVE DETECTION SYSTEMS IN AN "IN-LINE" BAGGAGE SYSTEM AT THE HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$17,750,815.77

Mayor's Staff Only

Received by CPO: [Signature] (date) 5/12/09 Received by LC from CPO: [Signature] (date)

Received by Mayor's Office: [Signature] (date) Reviewed by: [Signature] (date)

Submitted to Council: [Signature] (date)